



CCM Testimony

545 Long Wharf Drive., 8th Floor, New Haven, CT 06511 • 203-498-3000



Housing Committee

February 28, 2023

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent 99% of Connecticut's population. We appreciate the opportunity to testify on bills of interest to towns and cities.

HB 6633 “An Act Concerning a Needs Assessment and Fair Share Plans for Municipalities to Increase Affordable Housing”

HB 6633 would (1) require an assessment of the state-wide need for affordable housing and an allocation of such need to planning regions and municipalities, (2) require the creation of fair share plans for each municipality, (3) establish penalties for municipalities that fail to submit fair share plans, 4) allow for any interested party to bring action to superior court and 5) allows the court to force express agreements for municipalities with developers.

CCM **strongly opposes** HB 6633. The bill would create an alternative punitive process to assess and implement the state-wide need for affordable housing and imposes a top down policy onto the backs of local governments. Specifically, HB 6633 would mandate OPM to determine the need for affordable housing, requires municipalities to adopt fair share plans every ten years through a prescriptive set of components, creates a multifaceted point system to satisfy responsibilities in a rushed manner, and establishes penalties for non-compliance with no appeals process.

CCM has serious concerns that the proposed legislation is impractical and imposes harsh penalties on municipalities through lawsuits and “default zoning”. The penalties outlined in the bill for failing to submit a fair share plan or a plan that does not create “a realistic opportunity”, include the following:

- Exposes municipalities to lawsuits if a municipality does not submit a fair share plans or issue certificates of occupancy.
- Municipality that fails to submit a fair share plan or does not issue certificates of occupancy loses its zoning authority, instead forces “default zoning” upon the municipality, including as of right multifamily housing under certain conditions.
- Municipality that fails to submit a fair share plan OR whose plan is deemed to not create a “realistic opportunity” may be sued by any interested party, housing nonprofit



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or developer to obtain a court order to force the municipality to create a fair share plan and update its zoning regulations to create this subjective realistic opportunity, including through “express agreements” with developers for housing development projects.

- If housing is not built by the private sector, municipalities may be sued and forced by courts to build housing at public expense.
- The requirements in lines 141-158 are overly prescriptive, do not account for market conditions or viability and are burdensome for developers to make projects work financially.

CCM has collaborated on many affordable housing and zoning issues over the years, including, but not limited to, Public Act 21-29, and is working this session to ensure adequate and sensible solutions in areas of workforce housing and transit-oriented development. HB 6633 is a significant unfunded mandate and exposes towns and cities to significant costs and does not incentivize communities that lack adequate tools to address affordable housing. CCM hopes to be a partner with the state in these important conversations and look forward to developing solutions that are attainable and sustainable.

CCM opposes HB 6633 and asks the Committee to hold the bill.

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If you have any questions, please contact [Brain O'Connor](#), Director of Public Policy and Advocacy, or [Zachary McKeown](#), Senior Legislative Associate of CCM.